



PATENT
Customer No. 22,852
Attorney Docket No. 08038.0027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hikaru YOSHITAKA) Group Art Unit: 2812
Serial No.: 09/658,861) Examiner: Nguyen, H.
Filed: September 8, 2000)
For: SEMICONDUCTOR DEVICE AND)
METHOD OF MANUFACTURING)
THE SAME)

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11-17-02
Payton

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Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE

In reply to the Office Action dated May 9, 2002, the period for reply having been extended for three months to November 12, 2002, by virtue of Sunday November 10 and the holiday on November 11, by a request for extension and fee payment filed concurrently herewith, Applicant respectfully requests reconsideration of the Examiner's rejections.

REMARKS

Claims 4-9 remain pending in this application.

In the Office Action dated May 9, 2002, the Examiner rejected claims 4 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Zhao et al. in view of Moore et al. Regarding claim 4, the Examiner asserts that Zhao teaches all of the recitations of claims 4 and 8, but fails to teach the second insulating layer comprising silicon, carbon,

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